

not explicitly include a judge of the Superior Court of the District of Columbia. In that jurisdiction, those judges act as the "executive authority" for purposes of this subtitle. The General Assembly may wish to clarify the definition of "executive authority".

Defined term: "Person" § 1-101

9-102. FUGITIVES FROM JUSTICE; DUTY OF GOVERNOR.

SUBJECT TO THE PROVISIONS OF THIS TITLE, THE PROVISIONS OF THE CONSTITUTION OF THE UNITED STATES CONTROLLING, AND ANY AND ALL ACTS OF CONGRESS ENACTED IN PURSUANCE THEREOF, IT IS THE DUTY OF THE GOVERNOR OF THIS STATE TO HAVE ARRESTED AND DELIVERED UP TO THE EXECUTIVE AUTHORITY OF ANY OTHER STATE ANY PERSON CHARGED IN THAT STATE WITH TREASON, FELONY, OR OTHER CRIME, WHO HAS FLED FROM JUSTICE AND IS FOUND IN THIS STATE.

REVISOR'S NOTE: This section formerly was Art. 41, § 2-202.

The former reference to a state "of the United States" is deleted in light of the definition of "state" in § 9-101 of this title.

No other changes are made.

Defined terms: "Executive authority" § 9-101

"Person" § 1-101

"State" § 9-101

9-103. FORM OF DEMAND.

(A) IN GENERAL.

A DEMAND FOR THE EXTRADITION OF A PERSON CHARGED WITH CRIME IN ANOTHER STATE MAY NOT BE RECOGNIZED BY THE GOVERNOR UNLESS IT IS:

(1) IN WRITING AND ALLEGING, EXCEPT IN CASES ARISING UNDER § 9-106 OF THIS TITLE, THAT THE ACCUSED WAS PRESENT IN THE DEMANDING STATE AT THE TIME OF THE COMMISSION OF THE ALLEGED CRIME, AND THAT THEREAFTER THE ACCUSED FLED FROM THE STATE; AND

(2) ACCOMPANIED BY:

(I) A COPY OF AN INDICTMENT FOUND OR BY INFORMATION SUPPORTED BY AFFIDAVIT IN THE STATE HAVING JURISDICTION OF THE CRIME, OR BY A COPY OF AN AFFIDAVIT MADE BEFORE A JUSTICE OF THE PEACE OR MAGISTRATE THERE, TOGETHER WITH A COPY OF ANY WARRANT WHICH WAS ISSUED THEREUPON; OR

(II) A COPY OF A JUDGMENT OF CONVICTION OR OF A SENTENCE IMPOSED IN EXECUTION THEREOF, TOGETHER WITH A STATEMENT BY THE EXECUTIVE AUTHORITY OF THE DEMANDING STATE THAT THE PERSON CLAIMED HAS ESCAPED FROM CONFINEMENT OR HAS BROKEN THE TERMS OF THE PERSON'S BAIL, PROBATION, OR PAROLE.